



MS PETITION
Docket No.: 3624-0148P
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jui-Kung WU et al.

Application No.: 10/761,384

Confirmation No.: 2427

Filed: January 22, 2004

Art Unit: 1755

For: FLUORESCENT MATERIAL OF TERBIUM
ALUMINUM GARNET AND PRODUCING
METHODS THEREFOR

Examiner: C. M. Koslow

PETITION TO WITHDRAW ABANDONMENT
SINCE REPLY WAS TIMELY FILED

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Abandonment mailed June 7, 2006, which issued in connection with the above-identified application, this is a Petition to withdraw the "abandonment status" of the present application, since a Reply was timely filed on April 21, 2006.

1. EVIDENCE

As evidence of the fact that a Reply was timely filed, enclosed herewith are the following:

- a copy of the Reply filed April 21, 2006; and
- a copy of the postcard receipt which was date-stamped on April 21, 2006.

2. TERMINAL DISCLAIMER

☒ The present application was filed on or after May 29, 2000. Accordingly, no Terminal Disclaimer is necessary. It is noted that the present Petition is being timely filed within two (2) months of the mailing date of the Notice of Abandonment. Accordingly, no reduction in patent term adjustment should be made, in accordance with the provisions of 37 C.F.R. § 1.704(c)(4).

☐ The present application was filed on or after June 8, 1995 but before May 29, 2000. The present Petition is being timely filed within two (2) months of the mailing date of the Notice of Abandonment. Accordingly, no Terminal Disclaimer under 37 C.F.R. § 1.321(a) is necessary. See MPEP § 711.03(c).

☐ The present application was filed on or after June 8, 1995 but before May 29, 2000. The present Petition is being filed more than two (2) months from the mailing date of the Notice of Abandonment. Accordingly, a Terminal Disclaimer under 37 C.F.R. § 1.321(a) and the required fee set forth in 37 CFR 1.20(d) are being submitted concurrently herewith. The period being disclaimed is equivalent to the period between (1) the date that is two months after the mail date of the notice of abandonment and (2) the filing date of the present petition to withdraw the holding of abandonment. See MPEP § 711.03(c).

It is requested that the abandonment status of the present application be immediately removed so that prosecution may resume with full consideration and entry into the record of the timely filed Reply.

If the U.S. Patent Examiner has any questions regarding the above matters, please contact Applicants' representative, Joe McKinney Muncy, at the phone number listed below.

It is submitted that no fees are required for filing this Petition, since the error occurred because of a mistake on the part of the U.S. Patent and Trademark Office.

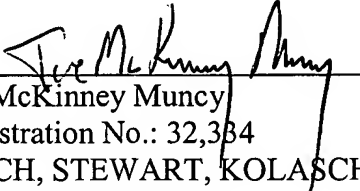
Application No.: 10/761,384

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: August 4, 2006

Respectfully submitted,

By 
Joe McKinney Muncy
Registration No.: 32,384
BIRCH, STEWART, KOLASCH & BIRCH, LLP
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Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

Attachments: Copy of Reply
Copy of Postcard Receipt

Inventor: Jui-Kung WU et al.

Atty Docket No.: 3624-0148P

Application No.: 10/761,384-Conf. #002427

Filing Date: January 22, 2004

Title: FLUORESCENT MATERIAL OF TERBIUM ALUMINUM GARNET AND PRODUCING METHODS THEREFOR

Documents Filed:

Issue Fee Transmittal

Letter Submitting Corrected Drawings (1 page)

One (1) sheet of corrected formal drawings

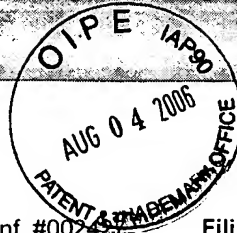
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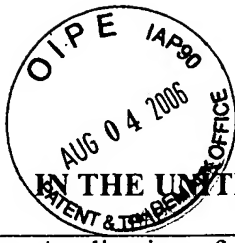
Via:

Sender's Initials: KM/asc

Due Date: April 23, 2006

Date: April 21, 2006





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Application No.: 10/761,384

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Filed: January 22, 2004

Art Unit: 1755

For: FLUORESCENT MATERIAL OF
TERBIUM ALUMINUM GARNET AND
PRODUCING METHODS THEREFOR

Examiner: C. M. Koslow

LETTER SUBMITTING CORRECTED DRAWINGS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

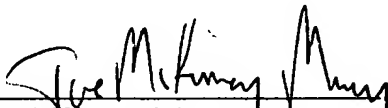
Pursuant to the USPTO Notice of Allowability Form PTO-37 dated January 23, 2006 attached to the Notice of Allowance and Issue Fee Due Form PTOL-85, attached hereto are 1 (one) sheets of corrected drawings.

Please substitute these corrected drawings for the corresponding 1 (one) sheets of drawings on file in the above-identified application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: April 21, 2006

Respectfully submitted,

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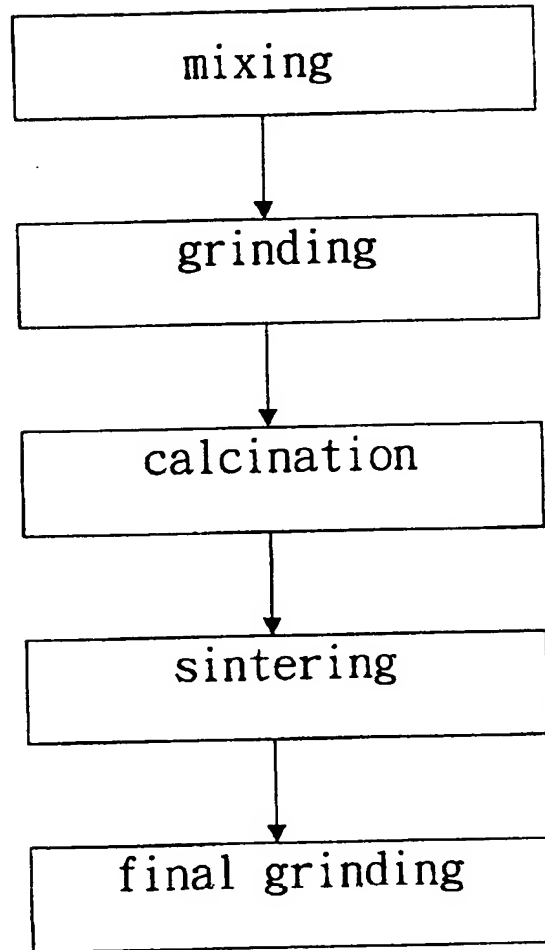


FIG. 4